

Issue:

Ex. 5 - Deliberative Process

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Background: General Conformity ensures that the actions taken by federal agencies do not interfere with a state's plans to attain and maintain the NAAQS in nonattainment and maintenance areas.

Federal agencies must work with state/local/tribal governments to ensure that air emissions from federal projects do not cause new NAAQS violations, increase the frequency or severity of NAAQS violations, or delay timely attainment of the NAAQS.

WY Situation: The Upper Green River Basin in Wyoming is designated Marginal nonattainment for the 2008 ozone NAAQS (75 ppb). The current 3-year DV is only 64 ppb. Since being designated nonattainment in 2012, the area has experienced daily exceedances of the NAAQS just a few times -e.g., once in 2015 and twice in January 2017. On May 4, 2016, EPA issued a "determination of attainment" for the area, although it still remains formally designated as nonattainment.

BLM is proposing a 10-year project (the Normally Pressurized Lance), which would include up to 3,500 natural gas wells in a 140,000-acre portion of the basin. The VOC emissions associated with the project - mostly due to drilling rigs - are about 200 tons per year.

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WY's 2008 Interim Permit Policy, which is not part of the SIP, requires emission offsets for *stationary and non-stationary sources*. To date, no emission offsets have been credited toward the project sources.

On December 29, 2016, BLM issued a proposed "presumed to comply" decision for this project in the Federal Register, and requested public comments by February 13, 2017. BLM is proposing that the project is an exempt action because the emissions increases are de minimis, assuming that certain emission categories can be excluded based on the permit exemption. In addition, BLM asked Region 8 in October 2016 to review their draft general conformity analysis for the project.

Options for Responding to BLM:

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